

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION**

IN RE:

Case No: 09-43881-DML

**JUAN JOSE SILVA
EMIGDIA CISNEROS SILVA**

Debtors,

**Pre-Hearing Conference:
Friday, February 14, 2014
Docket Call at 9:00 AM**

TRUSTEE'S OBJECTION TO DEBTORS MODIFICATION

TO THE HONORABLE DENNIS MICHAEL LYNN, U.S. BANKRUPTCY JUDGE:

Now comes Tim Truman, the Standing Chapter 13 Trustee, and files this his "Trustee's Objection to Modification" of the Plan heretofore filed herein by Debtors, and for the same would respectfully show the Court as follows:

The Plan fails to meet the "feasibility" requirements of 11 U.S.C. § 1325 (a) (6) of the Bankruptcy Code. In this regard, the Trustee would show that the Debtors' proposed Plan provides for the following plan payments:

Start Date	Periods	Amount	How Often	Action/Note
02/28/2014	5.03	\$1,380.00	MONTHLY	MOD Pending

In this regard, the Debtors' monthly surplus per Schedules I and J is \$213.00. Therefore, the Plan does not appear to be feasible for that reason, and for the following reason(s), if any:

WHEREFORE, PREMISES CONSIDERED, the Trustee prays that the modified Plan be disapproved unless and until it has been modified to cure all objections set forth hereinabove, and for general relief.

Respectfully submitted,

By: /s/ Angela D. Allen
Tim Truman, Bar # 20258000
Standing Chapter 13 Trustee
Angela Allen, Bar # 007869700
Staff Attorney

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing "Trustee's Objection to Debtors' Modification" was served on the parties listed below in the manner listed below on or before February 3, 2014:

/s/ Angela D. Allen
Tim Truman, Angela Allen

Trustee's Objection to Debtors' Modification

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BY FIRST CLASS MAIL:

JUAN JOSE SILVA, EMIGDIA CISNEROS SILVA, PO Box 270432, Dallas, TX 75227-0000

ELECTRONIC SERVICE:

MARK B FRENCH, 1901 CENTRAL DR STE 704, BEDFORD, TX 76021

United States Trustee, 1100 COMMERCE STREET, ROOM 976, DALLAS, TX 75242